


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Keizo Koya, Lijun Sun, Yaming Wu, Timothy Korbut, Dan Zhou, Zhenjian Du, Shoujun Chen, Noriaki Tatsuta, Guiqing Liang and Mitsunori Ono

Application No.: 10/758,589      Group Art Unit: 1614  
Filed: January 15, 2004      Examiner: Not assigned  
Confirmation No.: 5403  
Title: Treatment for Cancers

CERTIFICATE OF MAILING OR TRANSMISSION	
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6/29/04	
Date	Signature
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Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
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Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

☒ Enclosed herewith is form PTO-1449:

- ☐ Copies of the cited references are enclosed.

☒ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.

- ☒ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. 10/193,075, to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:

☐ the explanation provided on the attached sheet.

☐ the explanation provided in the Specification.

☐ submission of the enclosed International Search Report.

☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.

☐ the enclosed English language abstract.

[X] Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. 10/803,798, by Keizo Koya, Lijun Sun, Shoujun Chen, Noriaki Tatsuta, Yaming Wu, Mitsunori Ono, and Zhi-Qiang Xia, filed March 18, 2004, Docket No.: 3211.1000-044

\_\_\_\_ U.S. Patent Application No. 10/846,152, by Keizo Koya, Lijun Sun, Shoujun Chen, Noriaki Tatsuta, Yaming Wu and Mitsunori Ono, filed May 14, 2004, Docket No.: 3211.1000-045

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

[X] A copy of each above-cited application, including the current claims, is enclosed.

[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: June 29, 04

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.  
3211.1001-001APPLICATION NO.  
10/758,589INFORMATION DISCLOSURE CITATION  
IN AN APPLICATIONFIRST NAMED INVENTOR  
Keizo KoyaFILING DATE  
January 15, 2004

June 24, 2004

EXAMINER  
Not AssignedCONFIRMATION NO.  
5403GROUP  
1614

Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	20030119914	06-26-2003	Koya, et al.
	AB	20030045518	03-06-2003	Koya, et al.
	AC	20030195258	10-16-2003	Koya, et al.
	AD	6,656,971	12-2003	Wu et al.
	AE	6,365,745	04-2002	Matsui et al.
	AF	6,235,787	05-2001	Broadhurst et al.
	AG	6,172,108	01-2001	Vega et al.
	AH	6,399,659	06-2002	Usui et al.
	AI	6,172,188	01-2001	Thastrup et al.
	AJ	6,013,836	01-2000	Hsu et al
	AK	6,435,787	08-20-2002	John
	AA2	6,703,426	03-09-2004	Miles, et al.
	AB2	4,012,360	03-15-1977	Schwarzenbach, et al.
	AC2	6,455,515	09-24-2002	Gypser, <i>et al.</i>
	AD2			
	AE2			
	AF2			
	AG2			
	AH2			
	AI2			
	AJ2			
	AK2			
	AA3			
	AB3			
	AC3			

EXAMINER

DATE CONSIDERED

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3211.1001-001APPLICATION NO.  
10/758,589INFORMATION DISCLOSURE CITATION  
IN AN APPLICATIONFIRST NAMED INVENTOR  
Keizo KoyaFILING DATE  
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June 24, 2004

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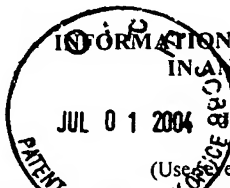
EXAMINER  
Not AssignedCONFIRMATION NO.  
5403GROUP  
1614

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION	
					YES	NO
	AL	WO 94/10995	26-MAY-94	Rhone-Poulenc Rorer S.A.		X
	AM	WO 99/34796	15-JUL-99	Pharmacia & Upjohn S.P.A.		
	AP					
	AO					
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	AQ					
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	AQ4					

EXAMINER

DATE CONSIDERED

PTO-1449 REPRODUCED  June 24, 2004 (Use separate sheets if necessary)	ATTORNEY DOCKET NO. 3211.1001-001	APPLICATION NO. 10/758,589	
	FIRST NAMED INVENTOR Keizo Koya		FILING DATE January 15, 2004
	EXAMINER Not Assigned	CONFIRMATION NO. 5403	GROUP 1614

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR	Chuyguk, V. A. and Nemazanyj A.G., "Mesoionic Methine Dyes from Biquaternary Salts of Dihetarylmethanes - 1,3,4-Oxa(thia)diazoles and 1,2,4-Triazoles Derivatives," <i>Ukr. Khim. Zhurn.</i> 48:520 (1984). Translation submitted in U.S. Application Serial No. 10/193,075 filed July 10, 2002.
AS	"REMARKS" paper as submitted by applicant's attorney.
AT	Stalteri, M.A., <i>et al.</i> , "Site-specific conjugation and labelling of prostate antibody 7E11C5.3 (CYT-351) with technetium-99m," <i>European Journal of Nuclear Medicine</i> 24(6):651-654, (1997).
AU	Twomey, D., "Anticancer Agents-IX. Derivatives of Pyridine, Pyridazine and Phthalazine," <i>Proceedings of the Royal Irish Academy</i> , Vol. 74, Sect. B:37-52,(1974).
AV	Schwarz et al., CA77:48081, 1972.
AW	Rupp, Walter, CA76:126992, 1972.
AX	
AY	
AZ	
AR2	
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AT2	
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AV2	

EXAMINER	DATE CONSIDERED
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